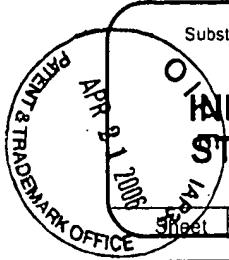


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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

3 1 16 E

**Complete if Known**

Application Number	10/849,990
Filing Date	May 21, 2004
First Named Inventor	Ian M. Penn
Art Unit	3738
Examiner Name	William H. Mathews
Attorney Docket Number	213202-00506

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature  Date Considered 4/27/06

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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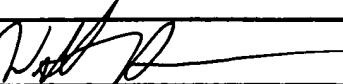
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				Examiner Name	William H. Mathews
Sheet	2	of	5	Attorney Docket Number	213202-00506

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
WJ		Complaint for Misappropriation of Trade Secrets, Breach of Contract, Breach of the Implied Duty of Good Faith and Fair Dealing, Inducement of Contract and Unjust Enrichment for Case No. CV 804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 28, 2002	
		Judgment After Jury Verdict for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 24, 2004	
		Order Granting Defendants Divyssio Solutions ULC, Ian Penn and Donald Ricci's Costs As The Prevailing Parties for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		First Amended Complaint for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 21, 2002	
		Second Amended Complaint for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, April 15, 2002	
		Deposition of Donald Ricci for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 19, 2002	
		Deposition of Ian Penn for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 15, 2003	
		Videotaped Deposition of Dr. Robert E. Fischell, Volume I, for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 5, 2003	
		Deposition of Richard Press for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 12, 2003	
✓		Deposition of Donald Ricci for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 17, 2003	

Examiner Signature		Date Considered	4/27/06
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/849,990		
		Filing Date	May 21, 2004		
		First Named Inventor	Ian M. Penn		
		Art Unit	3738		
		Examiner Name	William H. Mathews		
Sheet	3	of	5	Attorney Docket Number	213202-00506

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NP		Deposition of Ian Penn for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, December 18, 2003	
		Continued Videotaped Deposition of Dr. Robert E. Fischell, Volume I, for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, January 15, 2004	
		Deposition of George Adolph Shukov for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, Volume I, pp. 1-257, February 9, 2004	
		Deposition of George Adolph Shukov for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, Volume II, pp. 258-361, February 10, 2004	
		Reporter's Transcript of Proceedings for Hearing on Motion for Summary Judgment for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 2, 2004	
		Order for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 2, 2004	
		Amended Order for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, March 17, 2004	
		Defendants Divysio Solutions ULC, Donald Ricci and Ian Penn's Trial Brief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004	
		Trial Brief of Plaintiff Isostent, LLC for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004	
✓		Selected Pages from Trial Exhibits for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 23, 2004, all document numbers begining with "L0"	

Examiner Signature		Date Considered	4/27/06
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**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

5

Application Number	10/849,990
Filing Date	May 21, 2004
First Named Inventor	Ian M. Penn
Art Unit	3738
Examiner Name	William H. Mathews

Attorney Docket Number 213202-00506

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WHP		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 24, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 28, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, August 31, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 1, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 2, 2004	
		Transcript of Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, September 3, 2004	
		Fax Cover page and Isostents's Notice of Motion And Motion For New Trial for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, October 18, 2004	
		Declaration of Alicia N. Vaz In Support Of Defendants' Joint Opposition To Plaintiff's Motion for Equitable Relief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		Transcript of Hearing on Motions for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
↓		Isostent, LLC's Reply In Support Of Its Motion for Equitable Relief for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	

Examiner Signature		Date Considered	4/27/06
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		Art Unit		3738	
		Examiner Name		William H. Mathews	
Sheet	5	of	5	Attorney Docket Number	213202-00506

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WJ		Defendants' Joint Opposition To Plaintiff Isostent, LLC's Motion for Equitable Relief; Declaration of Alicia N. Vaz for Case No. CV 1-02-804863 in the Superior Court for the State of California in and for the City of Santa Clara, November 18, 2004	
		Answer and CounterClaims of Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation for Case No. C-06-01066 (PJH) in the United States District Court for the Northern District of California, San Francisco Division, April 6, 2006	
		First Amended and Supplemental Complaint for Patent Infringement And Declaratory Judgement Relief for Case No. C-06-01066 (PJH) in the United States District Court for the Northern District of California, San Francisco Division, April 6, 2006	
↓		Minutes of the Oral Proceedings before the European Patent Office Board of Appeal for European Patent No. EP 97904958.2, March 3, 2006	

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